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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

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UNITED STATES OF AMERICA,
Plaintiff,

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v.

NAHUM SAINZ PAEZ,
Defendant.

Case No. 2:18-MJ-02383
ORDER OF DETENTION

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I.

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On September 6, 2018, Defendant Nahum Sainz Paez (“Defendant”) made an initial appearance in this district on the Complaint filed in the United States District Court for the Central District of California, Case No. 2:18-MJ-02383.

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The Court appointed Deputy Federal Public Defender (“DFPD”) Jelani Lindsey, specially appearing for DFPD Charles Brown, to represent Defendant.

1 The Court conducted a detention hearing based on:

2 ☒ a motion by the Government or ☐ on the Court's own motion [18 U.S.C.
3 § 3142(f)(2)] in a case allegedly involving:

4 (a) ☒ a serious risk that the defendant will flee.

5 (b) ☒ a serious risk of danger to any person or the community

6 (c) ☐ a serious risk that the defendant will

7 (i) ☐ obstruct or attempt to obstruct justice.

8 (ii) ☐ threaten, injure, or intimidate a prospective witness
9 or juror or attempt to do so.

10 The Government ☐ is / ☒ is not entitled to a rebuttable presumption that no
11 condition or combination of conditions will reasonably assure the
12 defendant's appearance as required and the safety of any person or the
13 community.

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15 II.

16 ☒ The Court finds that no condition or combination of conditions will
17 reasonably assure: ☒ the appearance of the defendant as required.

18 ☒ the safety of any person or the community.

19 ☐ The Court finds that the defendant has not rebutted by sufficient evidence
20 to the contrary the presumption provided by statute.

21 Defendant submitted on the report and recommendation of the U.S. Pretrial
22 Services Agency.

23 The Court bases its conclusions on the following:

24 As to risk of non-appearance:

- 25 • No bail resources
- 26 • Unknown background information, including ties to the community,
27 foreign travel, and passport
- 28 • Defendant has no legal status in the United States

- Defendant has sustained four prior deportations

As to danger to the community:

- The alleged offense
- Defendant's criminal history

III.

In reaching this decision, the Court considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the report and recommendation of the U.S. Pretrial Services Agency.

V.

IT IS THEREFORE ORDERED that Defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal

for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i)]

Dated: September 7, 2018

_____/s/_____
HON. MARIA A. AUDERO
UNITED STATES MAGISTRATE JUDGE